

\_\_\_\_\_Published in The Derby Reporter, **March 19, 2004**

ORDINANCE NO. 46-085

**AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF IMPROVING 127TH ST E FROM 1/2 MILE S OF HARRY TO HARRY, TO SERVE EQUESTRIAN ESTATES & AN UP TRACT IN THE NW 1/4 OF SEC 35, TWP 27S, R2E (PROJECT NO. 490-819/472-83425)**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: **IMPROVING 127TH ST E FROM 1/2 MILE S OF HARRY TO HARRY, TO SERVE EQUESTRIAN ESTATES & AN UP TRACT IN THE NW 1/4 OF SEC 35, TWP 27S, R2E**, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$281,335.00** and that **\$200,403.01** be assessed against the improvement district and **\$80,931.99** be paid by the City at large, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-01-494**, adopted **December 11, 2001**, and published **December 15, 2001**, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
PAGE 1	
LOT 1	835.01
BLOCK 1	
EQUESTRIAN ESTATES ADD.	
LOT 2	835.01
BLOCK 1	
EQUESTRIAN ESTATES ADD.	
LOT 3	835.01
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EQUESTRIAN ESTATES ADD.	

LOT 4	835.01
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LOT 5	835.01
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LOT 6	835.01
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LOT 10	835.01
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LOT 11	835.01
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PAGE 2

LOT 12	835.01
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LOT 13	835.01
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LOT 14	835.01
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LOT 15	835.01
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LOT 16 BLOCK 1 EQUESTRIAN ESTATES ADD.	835.01
LOT 17 BLOCK 1 EQUESTRIAN ESTATES ADD.	835.01
LOT 18 BLOCK 1 EQUESTRIAN ESTATES ADD.	835.01
LOT 19 BLOCK 1 EQUESTRIAN ESTATES ADD.	835.01
LOT 1 BLOCK 2 EQUESTRIAN ESTATES ADD.	835.01
LOT 2 BLOCK 2 EQUESTRIAN ESTATES ADD.	835.01
LOT 3 BLOCK 2 EQUESTRIAN ESTATES ADD.	835.01
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LOT 4 BLOCK 2 EQUESTRIAN ESTATES ADD.	835.01
LOT 5 BLOCK 2 EQUESTRIAN ESTATES ADD.	835.01
LOT 6 BLOCK 2 EQUESTRIAN ESTATES ADD.	835.01
LOT 7 BLOCK 2 EQUESTRIAN ESTATES ADD.	835.01
LOT 8 BLOCK 2 EQUESTRIAN ESTATES ADD.	835.01

LOT 9	835.01
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LOT 14	835.01
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LOT 25	835.01
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LOT 26	835.01
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LOT 27	835.01
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LOT 37	835.01
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LOT 48	835.01
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PAGE 9	
LOT 16	835.01
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LOT 17	835.01
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LOT 1	10,020.15
BLOCK 4	
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LOT 1	34,068.51
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LOT 1	835.01
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LOT 29 BLOCK 6 EQUESTRIAN ESTATES ADD.	835.01
1 PAGE 12 LOT 30 BLOCK 6 EQUESTRIAN ESTATES ADD.	835.32

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
PAGE 1	
N 660 FT W 660 FT NW1/4 EXC STS ON N & W & EXC PT DED FOR ST SEC 35-27-2E	14,128.98
BEG NW COR NW1/4 S 1554.07 FT E 514.02 FT N 342.67 FT W 118.47 FT N 182.92 FT E 575.31 FT S 508.59 FT E 242.95 FT N 1563.6 FT TO N LI W 1214 FT TO BEG EXC N 660 FT W 660 FT & EXC STS & EXC EQUESTRIAN ESTATES ADD & EXC PT DED FOR ST SEC 35-27-2E	41,983.86
0	
0 PROJECT 472 83425	56,112.84 SQUARE FT

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **April 19, 2004**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2004**.

SECTION 5. This ordinance shall take effect and be in force as of and on **March 19, 2004** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **March 16, 2004**.

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Carlos Mayans, Mayor

ATTEST:

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Karen Schofield, City Clerk  
(seal)

APPROVED AS TO FORM:

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Gary Rebenstorf, Director of Law